

BOARD OF MADISON COUNTY COMMISSIONERS
February 19, 2008 MINUTES

On Tuesday, February 19, 2008, a meeting of the Board of Madison County Commissioners came to order at 9:40 a.m. with Commissioners David Schulz, Marilyn Ross, and Jim Hart present.

Marilyn Ross moved to approve the February 5, 2008, minutes as corrected. Jim Hart seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Charity Fechter, Barbie Durham, Peggy Kaatz, Stacy Reid, Karen Brown, Margie Edsall, Vicki Tilstra, Chris Mumme, Nick Gevock, and those on the attached lists.

Planning Workshop Invitation: Charity Fechter, Planning Director, presented the Board with a draft invitation and agenda for a Joint Planning Workshop to be held in Sheridan on Friday, March 14, 2008, at the Bethany Hall. The Board reviewed the agenda items and the list of invitees. Marilyn Ross moved to approve the agenda with additions as discussed and to authorize sending the invitations. Jim Hart seconded the motion. All voted aye and the motion carried.

Asbestos Abatement TRMCC: Barbie Durham, Grant Writer, met with the Board to discuss a bid from Ingraham Environmental for asbestos abatement at the nursing home in Sheridan. Barbie stated that because SMA has already completed illustrations and drawing preparation, the charge for \$225.00 could be removed from the bid and Barbie noted that the final amount could be up to 25% less than the bid amount. Jim Hart moved to approve the Contract and Proposal from Ingraham Environmental Inc. for asbestos related abatement, inspections, and reporting at the Tobacco Root Mountains Care Center in Sheridan, Montana, for an amount not to exceed \$3,592.00 with a reduction of \$225.00 for completed drawings. Marilyn Ross seconded the motion. All voted aye and the motion carried.

Airports:

- **Twin Bridges Airport Manager Position:** Having received a letter of interest for the Airport Manager position in Twin Bridges vacated by Ron Coleman, the Board discussed advertising the vacancy. Barbie Durham, Airport Board Secretary, was present for this portion of the meeting. Barbie will write and display an ad for this position. Also discussed was an updated job description for this position.
- **Review Resolution and Bylaws:** The Board discussed the Airport Board resolution and bylaws. Airport Board members have been working to revise the bylaws.
- **Avigation Ground Leases:** The Board reviewed two avigation leases for property at the Twin Bridges Airport. The Board discussed the fact that the Airport Board generally makes the determination on airport leases but in this case the applicant is the Chairman of the Airport Board and has requested that the Board of Commissioners also review the leases. Marilyn Ross moved to approve the Avigation Ground Leases between Madison County Airport Board and Lanell Holdings, LC, one for a parcel of land measuring 52 feet by 65 feet designated as parcel number 6 on the avigation ground lease plat and the other for a parcel of land measuring 54 feet by 65 feet designated as parcel number 7 on the avigation ground lease plat, both at the Twin Bridges Airport and both commencing on the first day of October, 2007 and terminating on the thirtieth day of September, 2037, for an annual rental of 0.04 per square foot per year. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Ennis AIP 008 and 009 Closeout:** Jim Hart moved to approve the close out for AIP 008 and AIP 009 and to approve the Grant Amendment request letter and final pay requests #3 and #4 for AIP 008, Ennis Big Sky Airport Improvements Project. Marilyn Ross seconded the motion. All voted aye and the motion carried.

Housing Board Resignation: Marilyn Ross moved to accept the resignation of Janet Zimmerman from the Madison County Housing Board. Jim Hart seconded the motion. All voted aye and the motion carried.

Housing Board Appointment: Marilyn Ross moved to appoint Katie Ward to the Madison County Housing Board, filling the vacancy left by Janet Zimmerman, for a three year term that will expire on December 31, 2010. Jim Hart seconded the motion. All voted aye and the motion carried.

Road Research Project: Stacy Reid, Road Research Analyst, and Peggy Kaatz, Clerk and Recorder, met with the Board to discuss the progress on the research that Stacy is conducting. Stacy reported that the project is going well and that she has currently been reading Commissioners Journals and putting relevant information on the data base. Discussion ensued regarding requests for specific road information and how the process would be maintained when Stacy's portion of the project was completed.

Road Signs: Karen Brown, GIS/IT, met with the Board to discuss the need to continue the effort to ensure that all county roads are properly signed for E911 purposes. Karen and the Board reviewed grant documents for signs that have been purchased for Road District 2. Lists have been completed for signs in Road District 1 but additional funding was unavailable and the signs were never purchased. Karen will continue to work with the Board and the Grant Writer to secure funding for road signs in Road Districts 1 and 3.

County Office Space Options: The Board discussed a notice that was posted at the Dick Lee house relating to the Optional Use Request that is currently being reviewed by the Town of Virginia City for use of the house as County Office space rather than residential. The Board also noted that MaryAnn O'Malley, Justice of the Peace, has fabricated a short term court room at the North end of the hallway outside of her office to address space and privacy issues while conducting hearings.

Gas Card for Extension Agent: The Board discussed the fact that Andrea Sarchet, Madison-Jefferson Extension Agent, has been submitting claims for gas and questioned whether she should be using a County gas card instead of her own credit card. The Board will discuss this issue with Jefferson County before determining if Andrea should get a Madison County gas card.

Herbicide Contract: Margie Edsall, Weed Coordinator, met with the Board to discuss an Herbicide Contract for the upcoming season. Marilyn Ross moved to approve the Madison County Weed Board Year 2008 Herbicide Contract Advertisement for Bids. Jim Hart seconded the motion. All voted aye and the motion carried.

Weed Management Plan: Margie Edsall, Weed Coordinator, met with the Board to discuss the updated Weed Management Plan. Margie stated that this is an ongoing plan that is generally reviewed for updates every two to three years. Margie stated that it was not changed at all the last time it was reviewed but that there were some changes in the current revision. Marilyn Ross moved to approve the Madison County Integrated Weed Management Plan. Jim Hart seconded the motion. All voted aye and the motion carried.

Medical Insurance Premiums: Vicki Tilstra, Chief Financial Officer, met with the Board to discuss the length of time an Employer is required to provide medical insurance to employees who are not working due to work related injuries. Vicki stated that she has contacted Jack Holstrum, MACo Personnel Services, regarding this issue and he determined that if the employee has filed Family Medical Leave Act, the employer is obligated to provide health insurance for up to twelve weeks per year and that if an employee is off work on Workers' Compensation he/she would probably qualify for FMLA benefits, but that there is no other provision in Workers' Compensation laws that require the employer to provide insurance coverage if the employee is absent from work.

False Alarm Ordinance: Chris Mumme, Director of Emergency Management, met with the Board to discuss a proposed false alarm ordinance. Chris stated that Harold Blattie, MACo Executive Director, had contacted him regarding authority to create this ordinance. Marilyn Ross moved to table the first reading of Ordinance 1-2008 until we can get clarification about the opinion from Harold Blattie. Jim Hart seconded the motion. All vote aye and the motion carried.

Public Hearing – Virginia City and Alder Fire Districts: Chairman Schulz opened the public hearing regarding the creation of a Virginia City Rural Fire District and annexation of unprotected lands to the Alder Rural Fire District. Those on the attached list were present for the hearing. Chris Mumme outlined the steps that have been taken to accomplish this goal and reasons for doing it. No one at the hearing spoke in opposition of the petitions. After discussion, David Schulz read the Virginia City petition. Marilyn Ross moved to approve the petition to establish the Virginia City Rural Fire District to include the described property as follows: Sections 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32 in Township 6 South, Range 2 West; Sections 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36 in Township 6 South, Range 3 West; and Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36 in Township 7 South, Range 3 West. Jim Hart seconded the motion. All voted aye and the motion carried. David Schulz then read the Alder petition. Jim Hart moved to approve the petition to annex the described property to the Alder Rural Fire District as follows: Sections 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32 in Township 5 South, Range 2 West; Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36 in Township 5 South, Range 3 West; Sections 5 and 6, Township 6 South, Range 2 West; Sections 1, 2, 3, 4, 5, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32, and the Northwest Quarter of the Northwest Quarter of Section 9, in Township 6 South, Range 3 West; Sections 1, 12, and 13 in Township 6 South, Range 4 West; and Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32 in Township 7 South, Range 3 West. Marilyn Ross seconded the motion. All voted aye and the motion carried. The public hearing was closed at 2:35 p.m.

Lower Family Ranch Subdivision Preliminary Plat: Wayne Lower, Subdivider, met with the Board to discuss the preliminary plat of Lower Family Ranch Subdivision and a variance request for road width. Those on the attached list were also present for this portion of the meeting. Wayne described the proposed subdivision and explained that because of concerns from neighbors he had previously requested a 60 day stay on Commissioner review of the preliminary plat. Wayne stated that he has worked with these neighbors and the Sun Ranch Institute to create a more palatable plan that is now ready for review. His original plan called for 17 residential lots. He stated that the current plan still consists of 17 lots but that his intentions are to possibly abandon two or three of the lots to take advantage of tax incentives and increase the value of the remaining lots. The proposed subdivision, located on Washington Bar Road approximately 5-6 miles northwest of McAllister, also consists of one tract of 7.6 acres not proposed for development, and 102 acres of open space. Ron Slade, Becktel and Slade, spoke in favor of the project and Tom Olenicki, Wildlife Biologist, discussed the projected affects the project might have on wildlife, stating that a 17 lot development in this particular area would not have a significant impact on wildlife. Dave Germann, neighboring Landowner, voiced concerns regarding affects to a spring on his property when more wells are put in; the safety of travelers if the road width variance is approved; and response time for emergency vehicles. Anne Cossitt, Madison County Contract Planner, observed that no new information had been received. Anne stated that although the wildlife map is new, it corroborates information previously provided by Fish, Wildlife, and Parks. Having heard Anne's analysis, Marilyn Ross moved that no new information had been introduced. Jim Hart seconded the motion. All voted aye and the motion carried. Jim Hart moved to accept the recommendation of the Planning Board and approve the preliminary plat of Lower Family Ranch Subdivision including the proposed findings of fact and conditions with the addition of Condition 8A, stating "In addition to any other required upgrades to existing roads determined to be necessary by the County Commission, Subdivider agrees that Washington Bar Road should be relocated in front of Mr. Stephen Nelson's home to eliminate the approximate 90 degree corner. Subdivider shall cooperate in this relocation. Subdivider will participate in the cost of this relocation and any other required upgrades by a negotiated fair-share agreement" as referenced in the February 14, 2008, letter from Goetz, Gallik & Baldwin, P.C. After further discussion, Jim Hart moved not to grant the request for a road variance because the request does not meet the criteria. Marilyn Ross seconded the motion. All voted aye and the motion carried.

With no further business the meeting was adjourned at 4:30 p.m.

David Schulz, Chairman
Board of Madison County Commissioners

Date Approved: February 26, 2008

Minutes prepared by:

Laurie Buyan, Administrative Assistant

Peggy Kaatz, Clerk and Recorder, Madison County